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FILED IN THE U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

FEB 11 2020

SEAN F. MCAVOY, CLERK  
DEPUTY  
YAKIMA, WASHINGTON

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WASHINGTON

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12  
13 v.  
14

15 JAMES DEAN CLOUD and  
16 DONOVAN QUINN CARTER CLOUD,

17 Defendants.  
18

1:19-CR-02032-SMJ

SECOND SUPERSEDING INDICTMENT

Vio: 18 U.S.C. §§ 2119, 2

Carjacking  
(Count 1)

18 U.S.C. § 924(c)(1)(A)(i), (ii)  
Brandishing of a Firearm During a  
Crime of Violence  
(Counts 2, 3, 6)

18 U.S.C. §§ 2109, 1153, 3559(f)(2)  
Kidnapping  
(Count 4)

18 U.S.C. §§ 113(a)(3), 1153  
Assault with a Dangerous Weapon  
(Count 5)

1 18 U.S.C. §§ 1111, 1153, 2  
2 First Degree Murder  
3 (Count 7)

4 18 U.S.C. § 924(c)(1)(A)(i), (ii)  
5 Discharge of a Firearm During a Crime of  
6 Violence  
7 (Count 8)

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9  
10 The Grand Jury charges:

11 COUNT 1

12  
13 On or about June 8, 2019, in the Eastern District of Washington, the  
14 Defendants, JAMES DEAN CLOUD and DONOVAN QUINN CARTER  
15 CLOUD, took a motor vehicle, to wit: a 2007 Chevrolet Silverado, that had been  
16 transported, shipped, and received in interstate and foreign commerce from J.V. by  
17 force, violence, and intimidation, with the intent to cause death and serious bodily  
18 harm, all in violation of 18 U.S.C. §§ 2119, 2.  
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21 COUNT 2

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23 On or about June 8, 2019, in the Eastern District of Washington, the  
24 Defendant, JAMES DEAN CLOUD, during and in relation to a crime of violence,  
25 for which he may be prosecuted in a court of the United States, to wit: Carjacking,  
26 in violation of 18 U.S.C. § 2119, as alleged in Count 1 of this Second Superseding  
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1 Indictment, did knowingly use, carry, brandish, and possess in furtherance of the  
2 Carjacking, a firearm, all in violation of 18 U.S.C. § 924(c)(1)(A)(i), (ii).

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COUNT 3

On or about June 8, 2019, in the Eastern District of Washington, the  
Defendant, DONOVAN QUINN CARTER CLOUD, during and in relation to a  
crime of violence, for which he may be prosecuted in a court of the United States,  
to wit: Carjacking, in violation of 18 U.S.C. § 2119, as alleged in Count 1 of this  
Second Superseding Indictment, did knowingly use, carry, brandish, and possess in  
furtherance of the Carjacking, a firearm, all in violation of 18 U.S.C. §  
924(c)(1)(A)(i), (ii).

COUNT 4

On or about June 8, 2019, in the Eastern District of Washington, the  
Defendants, JAMES DEAN CLOUD and DONOVAN QUINN CARTER  
CLOUD, both Indians, who were not parents, grandparents, brothers, sisters, aunts,  
uncles, or individuals having legal custody of Minor A, did unlawfully kidnap,  
abduct, confine, and carry away and hold for ransom or reward or otherwise a  
person identified as Minor A for a vehicle, and Minor A had not then attained the  
age of eighteen years, all within the boundaries of the Yakama Nation Indian  
Reservation, in Indian Country; in violation of 18 U.S.C. §§ 1201(a)(2), (g)(1),  
1153, and 3559(f)(2), 2.

COUNT 5

On or about June 8, 2019, in the Eastern District of Washington, within the boundaries of the Yakama Nation Indian Reservation, in Indian Country, the Defendant, JAMES DEAN CLOUD, an Indian, did knowingly assault J.V. with a dangerous weapon, that is, a firearm, with intent to do bodily harm; in violation of 18 U.S.C. § 113(a)(3), 1153.

COUNT 6

On or about June 8, 2019, in the Eastern District of Washington, the Defendant, JAMES DEAN CLOUD, during and in relation to a crime of violence, for which he may be prosecuted in a court of the United States, to wit: Assault with a Dangerous Weapon, in violation of 18 U.S.C. §§ 113(a)(3), § 1153, as alleged in Count 5 of this Second Superseding Indictment, did knowingly use, carry, brandish, and possess in furtherance of the Assault with a Dangerous Weapon, a firearm, all in violation of 18 U.S.C. § 924(c)(1)(A)(i), (ii).

COUNT 7

On or about June 8, 2019, in the Eastern District of Washington, within the external boundaries of the Yakama Nation Indian Reservation, in Indian Country, the Defendant, JAMES DEAN CLOUD, an Indian, willfully, deliberately, maliciously, and with premeditation and malice aforethought, did unlawfully kill

1 D.O. by shooting him with a rifle, and did aid and abet the same; all in violation of  
2 18 U.S.C. §§ 1153, 1111, 2.

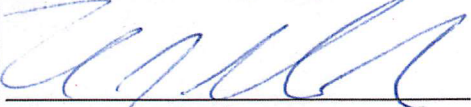
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COUNT 8

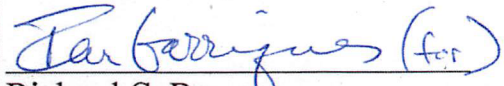
On or about June 8, 2019, in the Eastern District of Washington, the  
Defendant, JAMES DEAN CLOUD, during and in relation to a crime of violence,  
for which he may be prosecuted in a court of the United States, to wit: First Degree  
Murder, in violation of 18 U.S.C. §§ 1111, 1153, as alleged in Count 7 of this  
Second Superseding Indictment, did knowingly use, carry, brandish, possess, and  
discharge in furtherance of the First Degree Murder, a firearm, all in violation of  
18 U.S.C. § 924(c)(1)(A)(iii).

DATED: February 11, 2020

A TRUE BILL

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United States Attorney

  
Thomas J. Hanlon  
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